

**REMARKS**

Applicants respectfully request consideration and entry of the above amendment before examination.

Respectfully submitted,

LYON & LYON  
Attorneys for Applicants

Dated: June 27, 2002

By



---

William A. English  
Reg. No. 42,515

633 West Fifth Street  
47th Floor  
Los Angeles, CA 90071  
(949)567-2300

**VERSION WITH MARKINGS SHOWING CLAIM AMENDMENTS:**

1. (amended) An apparatus for *delivering a closure element into*~~positioning~~  
~~within~~ a passage communicating with an opening into a body lumen, comprising:
- an elongate member comprising proximal and distal ends;
- an annular clip carried by*~~a closure element associated with~~ the elongate member for closing the opening;
- a locator member coupled to the elongate member, the locator member having a distal portion extending distally beyond the distal end of the elongate member; and
- one or more positioning elements on the distal portion of the locator member, the positioning elements being selectively expandable between a substantially axial collapsed configuration and a substantially transverse expanded configuration.
11. (amended) The apparatus of claim 1, further comprising a housing slidably disposed on an exterior of the elongate member, the housing configured for releasably holding the ~~clip~~~~closure element~~, the housing being actuable for advancing the ~~clip~~~~closure element~~ distally towards the distal end of the elongate member for deploying the ~~clip~~~~closure element~~.
13. (amended) The apparatus of claim 11, further comprising an actuator coupled to the housing, the actuator configured for advancing the housing distally to deploy the ~~clip~~~~closure element~~ therefrom.